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6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

8 JONATHAN W. MUNDO,

2:13-CV-612 JCM (NJK)

9 Plaintiff(s),

10 v.

11 STEVEN GRIFFIN, et al.,

12 Defendant(s).  
13

14 ORDER

15 Presently before the court is the report and recommendation of Magistrate Judge Koppe.  
16 (Doc. # 7). No objections have been filed and the deadline date for filing objections has expired.

17 This court “may accept, reject, or modify, in whole or in part, the findings or  
18 recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1). Where a party timely objects  
19 to a magistrate judge’s report and recommendation, then the court is required to “make a de novo  
20 determination of those portions of the [report and recommendation] to which objection is made.”  
21 28 U.S.C. § 636(b)(1).

22 Where a party fails to object, however, the court is not required to conduct “any review at all  
23 . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985).  
24 Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate  
25 judge’s report and recommendation where no objections have been filed. *See United States v.*  
26 *Reyna–Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review employed by the  
27 district court when reviewing a report and recommendation to which no objections were made); *see*  
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1 also *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003) (reading the Ninth Circuit's  
2 decision in *Reyna-Tapia* as adopting the view that district courts are not required to review "any  
3 issue that is not the subject of an objection."). Thus, if there is no objection to a magistrate judge's  
4 recommendation, then this court may accept the recommendation without review. *See, e.g.*,  
5 *Johnstone*, 263 F. Supp. 2d at 1226 (accepting, without review, a magistrate judge's recommendation  
6 to which no objection was filed).

7 Nevertheless, this court finds it appropriate to engage in a de novo review to determine  
8 whether to adopt the recommendation of the magistrate judge. Upon reviewing the recommendation  
9 and underlying briefs, this court finds good cause appears to ADOPT the magistrate's findings in  
10 full.

11 Accordingly,

12 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the report and  
13 recommendation of Magistrate Judge Koppe (doc. # 7) be, and the same hereby is, ADOPTED in  
14 its entirety.

15 IT IS FURTHER ORDERED that the action be dismissed without prejudice. The clerk of  
16 the court shall close the case.

17 DATED August 9, 2013.

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20 UNITED STATES DISTRICT JUDGE  
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